

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TYREE NEAL, SR.,

Plaintiff,

v.

SOUTHERN ILLINOIS MOTOR XPRESS, INC.,

Defendant.

Case No. 15-cv-1412-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 19) of Magistrate Judge Philip M. Frazier recommending that the Court grant the unopposed motion of defendant Southern Illinois Motor Xpress, Inc. to strike from the complaint paragraphs 50, 56 and 63 and the corresponding prayer for punitive damages under the Illinois Human Rights Act (Doc. 10).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 19);
- **GRANTS** the defendant’s motion to strike (Doc. 10); and
- **STRIKES** from the complaint (Doc. 1) paragraphs 50, 56 and 63 and the corresponding prayer for punitive damages under the Illinois Human Rights Act.

IT IS SO ORDERED.

DATED: March 22, 2016

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE